

IN THE SENATE

SENATE BILL NO. 1004

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-406, IDAHO CODE, TO PROVIDE FOR SPECIFIED RESIDENT THREE YEAR LICENSES, TO PROVIDE FOR FEES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 36-407, IDAHO CODE, TO PROVIDE FOR SPECIFIED NONRESIDENT THREE YEAR LICENSES AND TO PROVIDE FOR FEES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 36-406, Idaho Code, be, and the same is hereby amended to read as follows:

36-406. RESIDENT FISHING, HUNTING AND TRAPPING LICENSES -- FEES. (a) Adult Licenses -- Combination -- Fishing -- Hunting -- Trapping. A license of the first class may be had by a person possessing the qualifications therein described on payment of a fee as specified in section 36-416, Idaho Code, for a combined fishing and hunting license entitling the purchaser to hunt and fish for game animals, game birds, unprotected and predatory animals and fish of the state, a fee as specified in section 36-416, Idaho Code, for a fishing license entitling the purchaser to fish in the public waters of the state, a fee as specified in section 36-416, Idaho Code, for a hunting license entitling the purchaser to hunt game animals, game birds, unprotected and predatory animals of the state, and a fee as specified in section 36-416, Idaho Code, for a trapping license entitling the purchaser to trap furbearers, unprotected and predatory animals of the state.

(b) Junior Licenses -- Hunting -- Trapping. A license of the second class may be had by a person possessing the qualifications therein described on payment of a fee as specified in section 36-416, Idaho Code, for a hunting license, and a fee as specified in section 36-416, Idaho Code, for a trapping license entitling the purchaser to the same privileges as the corresponding license of the first class provides.

(c) Junior Combination -- Fishing Licenses. A license of the third class may be purchased by a person possessing the qualifications therein described on payment of a fee as specified in section 36-416, Idaho Code, for a combined fishing and hunting license, and a fee as specified in section 36-416, Idaho Code, for a fishing license entitling the purchaser to the same privileges as the corresponding license of the first class provides.

(d) Senior Resident Combination. A license of the fourth class may be had by a person possessing the qualifications therein described on payment of a fee as specified in section 36-416, Idaho Code, for a combined fishing and hunting license entitling the purchaser to the same privileges as the corresponding license of the first class provides.

(e) Lifetime Licenses -- Combination -- Hunting -- Fishing. A license of the fifth class may be obtained at no additional charge by a person possessing the qualifications therein described for a combined hunting and

1 fishing license, for a hunting license, or for a fishing license, entitling  
 2 the person to the same privileges as the corresponding license of the first  
 3 class provides. Lifetime licensees must be certified under the provisions  
 4 of section 36-413, Idaho Code, before being issued a license to hunt.

5 (f) A license of the eighth class may be had by a person possessing the  
 6 qualifications therein described on payment of a fee as specified in section  
 7 36-416, Idaho Code, entitling the purchaser to hunt and fish for game ani-  
 8 mals, game birds, fish, and unprotected and predatory animals of the state.  
 9 With payment of the required fee, a person shall receive with this license a  
 10 deer tag, an elk tag, a bear tag, a turkey tag, a mountain lion tag, a wolf  
 11 tag, an archery hunt permit, a muzzleloader permit, a steelhead trout permit  
 12 and an anadromous salmon permit. The director shall promptly transmit to the  
 13 state treasurer all moneys received pursuant to this subsection for deposit  
 14 as follows:

15 (i) Four dollars (\$4.00) in the fish and game set-aside account for the  
 16 purposes of section 36-111(1)(a), Idaho Code;

17 (ii) Two dollars (\$2.00) in the fish and game set-aside account for the  
 18 purposes of section 36-111(1)(b), Idaho Code;

19 (iii) One dollar and fifty cents (\$1.50) in the fish and game set-aside  
 20 account for the purposes of section 36-111(1)(c), Idaho Code; and

21 (iv) The balance in the fish and game account.

22 All persons purchasing a license pursuant to this subsection shall ob-  
 23 serve and shall be subject to all rules of the commission regarding the fish  
 24 and wildlife of the state.

25 If the purchaser of this license does not meet the archery education re-  
 26 quirements of section 36-411(b), Idaho Code, then, notwithstanding the pro-  
 27 visions of section 36-304, Idaho Code, the archery hunt permit portion of  
 28 this license is invalid. The fee for this license will not change and the li-  
 29 cense must be issued without the archery permit validation.

30 (g) Disabled Persons Licenses -- Combination -- Fishing. A license of  
 31 the first class may be had by any resident disabled person on payment of a  
 32 fee as specified in section 36-416, Idaho Code, for a combined fishing and  
 33 hunting license, and a fee as specified in section 36-416, Idaho Code, for a  
 34 fishing license, entitling the purchaser to the same privileges as the cor-  
 35 responding license of the first class provides. A disabled person means a  
 36 person who is deemed disabled by one (1) or more, but not necessarily all,  
 37 of the following: the railroad retirement board pursuant to title 45 of the  
 38 United States Code, or certified as eligible for federal supplemental secu-  
 39 rity income (SSI); or social security disability income (SSDI); or a nonser-  
 40 vice-connected veterans pension; or a service-connected veterans disabili-  
 41 ty benefit with forty percent (40%) or more disability; or certified as per-  
 42 manently disabled by a physician. Once determination of permanent disabili-  
 43 ty has been made with the department, the determination shall remain on file  
 44 within the electronic filing system and the license holder shall not be re-  
 45 quired to present a physician's determination each year or prove their dis-  
 46 ability each year.

47 (h) Military Furlough Licenses -- Combination -- Fishing. A license of  
 48 the first class may be had by a resident person engaged in the military ser-  
 49 vice of the United States, while on temporary furlough or leave, possessing  
 50 the qualifications therein described on payment of a fee as specified in sec-

tion 36-416, Idaho Code, for a combined fishing and hunting license, and as specified in section 36-416, Idaho Code, for a fishing license.

(i) Youth Small Game Licenses -- Hunting. A license of the second class may be had by a person possessing the qualifications therein described on payment of a fee as specified in section 36-416, Idaho Code, provided that the license shall be valid only for hunting upland game birds (including turkeys), migratory game birds, cottontail rabbits, huntable furbearers, and unprotected and predatory birds and animals of this state while accompanied in the field by the holder of an adult Idaho hunting license.

(j) Adult Licenses -- Three Year -- Combination -- Fishing -- Hunting. A license of the first class may be had by a person possessing the qualifications therein described on payment of three (3) times the fee as specified in section 36-416, Idaho Code, for a combined fishing and hunting license entitling the purchaser to hunt and fish for game animals, game birds, fish, unprotected and predatory wildlife of the state, three (3) times the fee as specified in section 36-416, Idaho Code, for a fishing license entitling the purchaser to fish in the public waters of the state, or three (3) times the fee as specified in section 36-416, Idaho Code, for a hunting license entitling the purchaser to hunt game animals, game birds, unprotected and predatory wildlife of the state. The expiration date for said licenses shall be December 31 of the third year following the date of issuance.

(k) Junior Licenses -- Three Year -- Hunting. A license of the second class may be had by a person possessing the qualifications therein described on payment of three (3) times the fee as specified in section 36-416, Idaho Code, for a hunting license. The expiration date for said license shall be December 31 of the third year following the date of issuance.

(l) Junior Licenses -- Three Year -- Combination -- Fishing Licenses. A license of the third class may be purchased by a person possessing the qualifications therein described on payment of three (3) times the fee as specified in section 36-416, Idaho Code, for a combined fishing and hunting license and three (3) times the fee as specified in section 36-416, Idaho Code, for a fishing license entitling the purchaser to the same privileges as the corresponding license of the first class provides. The expiration date for said licenses shall be December 31 of the third year following the date of issuance.

(m) Senior Resident Combination License -- Three Year. A license of the fourth class may be had by a person possessing the qualifications therein described on payment of three (3) times the fee as specified in section 36-416, Idaho Code, for a combined fishing and hunting license entitling the purchaser to the same privileges as the corresponding license of the first class provides. The expiration date for said license shall be December 31 of the third year following the date of issuance.

(n) Disabled Persons Licenses -- Three Year -- Combination -- Fishing. A license of the ninth class may be had by any resident disabled person possessing the qualifications therein described on payment of three (3) times the fee as specified in section 36-416, Idaho Code, for a combined fishing and hunting license, and a fee as specified in section 36-416, Idaho Code, for a fishing license entitling the purchaser to the same privileges as the corresponding license of the first class provides. The expiration date for

1 said licenses shall be December 31 of the third year following the date of is-  
2 suance.

3 SECTION 2. That Section 36-407, Idaho Code, be, and the same is hereby  
4 amended to read as follows:

5 36-407. NONRESIDENT COMBINATION, FISHING, HUNTING, AND TRAPPING LI-  
6 CENSES -- FEES -- RIGHTS UNDER. Licenses of the sixth class shall be issued to  
7 nonresidents in the several kinds and for fees as follows:

8 (a) Nonresident Hunting With Three Day Fishing License. A license is-  
9 sued only to a person twelve (12) years of age or older entitling said person  
10 to pursue, hunt, or kill game birds, small game animals, unprotected birds  
11 and animals and predatory birds and animals and to purchase game tags as pro-  
12 vided in section 36-409(b), Idaho Code, and to fish in the waters of the state  
13 for a period of three (3) consecutive days for any fish during an open season  
14 for those fish, excluding steelhead trout and anadromous salmon. Provided,  
15 that a license may be issued to qualified persons who are eleven (11) years of  
16 age to allow the application for a controlled hunt permit; however, said per-  
17 sons shall not hunt until they are twelve (12) years of age. A license of this  
18 kind may be had upon payment of a fee as specified in section 36-416, Idaho  
19 Code.

20 (b) Nonresident Season Fishing License. A license entitling a person  
21 to fish in the public waters of the state. A license of this kind may be had  
22 upon payment of a fee as specified in section 36-416, Idaho Code.

23 (c) Nonresident Trapping License. A license entitling a person to trap  
24 fur-bearing, unprotected, and predatory animals. A license of this kind may  
25 be had upon payment of a fee as specified in section 36-416, Idaho Code, pro-  
26 viding the state of residence of said person grants similar trapping license  
27 privileges to residents of Idaho.

28 (d) Nonresident Nongame License. A license entitling a person to carry  
29 a shotgun or rifle for the protection of livestock, or to pursue, hunt and  
30 kill unprotected birds and animals and predatory birds and animals of this  
31 state. A license of this kind may be had by a nonresident person who is twelve  
32 (12) years of age or older upon payment of a fee as specified in section  
33 36-416, Idaho Code. This license shall be valid only during the period of  
34 January 1 to August 31 of the calendar year in which issued, unless verified  
35 by the director that the licensee requires such a license to authorize him to  
36 carry a shotgun or rifle for the protection of livestock, in which case said  
37 license shall be valid until December 31 of the year in which issued.

38 (e) Nonresident Small Game Hunting License. A license issued only to  
39 a person twelve (12) years of age or older, entitling the person to hunt up-  
40 land game birds (to include turkeys), migratory game birds, cottontail rab-  
41 bits, huntable furbearers, and unprotected and predatory birds and animals  
42 of this state. A person holding this license shall purchase the appropriate  
43 required tags and permits, and may not hunt pheasants in an area during the  
44 first five (5) days of the pheasant season in that area. A license of this  
45 type may be had upon payment of a fee as specified in section 36-416, Idaho  
46 Code.

47 (f) Falconry Meet Permit. The director may issue a special permit for a  
48 regulated meet scheduled for a specific number of days upon payment of a fee

1 as specified in section 36-416, Idaho Code. Only trained raptors may be used  
2 under the special permit issued under the provisions of this subsection.

3 (g) Daily Fishing License -- Resident May Purchase. A license enti-  
4 tling a person to fish in the waters of the state on a day-to-day basis. A  
5 license of this kind may be had by a resident or nonresident person (the pro-  
6 visions of section 36-405, Idaho Code, notwithstanding), upon payment of a  
7 fee as specified in section 36-416, Idaho Code, for the first effective day  
8 and a fee as specified in section 36-416, Idaho Code, for each consecutive  
9 day thereafter.

10 (h) Nonresident Three Day Fishing License with Steelhead or Salmon  
11 Permit. A license entitling a nonresident to fish in the waters of the state  
12 for a period of three (3) consecutive days for any fish, including steelhead  
13 trout or anadromous salmon during an open season for those fish may be had  
14 upon payment of a fee as specified in section 36-416, Idaho Code. The three  
15 (3) day license holder may fish for any species of fish, steelhead trout and  
16 anadromous salmon subject to the limitations prescribed in rules promul-  
17 gated by the commission. A nonresident may purchase as many of the licenses  
18 provided in this subsection as he desires provided that the nonresident is  
19 otherwise eligible to do so.

20 (i) Nonresident Junior Fishing License. A license entitling a nonresi-  
21 dent who is less than eighteen (18) years of age to fish in the waters of this  
22 state may be had upon payment of a fee as specified in section 36-416, Idaho  
23 Code.

24 (j) Nonresident Combination Licenses. A license entitling the per-  
25 son to hunt and fish for game animals, game birds, fish and unprotected and  
26 predatory animals of the state may be had by a person twelve (12) years of age  
27 or older upon payment of a fee as specified in section 36-416, Idaho Code. A  
28 license may be issued to a qualified person who is eleven (11) years of age  
29 to allow the application for a controlled hunt permit; however, the person  
30 shall not hunt until he is twelve (12) years of age.

31 (k) Nonresident Junior Mentored Hunting License. A license entitling a  
32 nonresident between twelve (12) and seventeen (17) years of age, inclusive,  
33 to hunt game animals, upland game birds (including turkeys), migratory game  
34 birds, cottontail rabbits, and unprotected and predatory birds and animals  
35 of this state only when accompanied in the field by the holder of an adult  
36 Idaho hunting license. A person holding this license shall purchase the ap-  
37 propriate required tags as provided in section 36-409(b), Idaho Code, and  
38 permits. Provided, that a license may be issued to qualified persons who are  
39 eleven (11) years of age to allow the application for a controlled hunt per-  
40 mit; however, said persons shall not hunt until they are twelve (12) years of  
41 age. A license of this kind may be had upon payment of a fee as specified in  
42 section 36-416, Idaho Code.

43 (l) Nonresident Youth Small Game Licenses -- Hunting. A license en-  
44 titling a nonresident of ten (10) or eleven (11) years of age to hunt up-  
45 land game birds (including turkeys), migratory game birds, cottontail rab-  
46 bits, huntable furbearers, and unprotected and predatory birds and animals  
47 of this state only while accompanied in the field by the holder of an adult  
48 Idaho hunting license may be had upon payment of a fee as specified in section  
49 36-416, Idaho Code. Provided, that a license may be issued to qualified per-  
50 sons who are nine (9) years of age to allow the application for a controlled

1 hunt turkey permit; however, said persons shall not hunt until they are ten  
2 (10) years of age.

3 (m) Youth Hunter Education Graduate Licenses -- Hunting -- Resident May  
4 Purchase. A license entitling a person between ten (10) and seventeen (17)  
5 years of age, inclusive, to hunt upland game birds (except turkeys), migra-  
6 tory game birds, cottontail rabbits, huntable furbearers, and unprotected  
7 and predatory birds and animals of this state only when accompanied in the  
8 field by the holder of an adult Idaho hunting license. A person holding this  
9 license shall purchase the appropriate required permits. A license of this  
10 kind may be issued to a resident or nonresident person, notwithstanding the  
11 provisions of section 36-405, Idaho Code, upon payment of a fee as specified  
12 in section 36-416, Idaho Code.

13 (n) Nonresident Disabled American Veteran. A license entitling a per-  
14 son to participate in a hunt in association with a qualified organization.  
15 "Qualified organization," as used in association with these licenses, shall  
16 be as defined in section 36-408(7), Idaho Code.

17 (o) Nonresident Hunting License -- Three Year. A license issued only to  
18 a person twelve (12) years of age or older entitling said person to hunt game  
19 birds, game animals, unprotected and predatory wildlife and to purchase game  
20 tags as provided in section 36-409(b), Idaho Code. Provided, that a license  
21 may be issued to qualified persons who are eleven (11) years of age to allow  
22 the application for a controlled hunt tag; however, said persons shall not  
23 hunt until they are twelve (12) years of age. A license of this kind may be  
24 had upon payment of three (3) times the fee as specified in section 36-416,  
25 Idaho Code. The expiration date for said license shall be December 31 of the  
26 third year following the date of issuance.

27 (p) Nonresident Season Fishing License -- Three Year. A license en-  
28 titling a person to fish in the public waters of the state. A license of  
29 this kind may be had upon payment of three (3) times the fee as specified in  
30 section 36-416, Idaho Code, for a fishing license. The expiration date for  
31 said license shall be December 31 of the third year following the date of  
32 issuance.

33 (q) Nonresident Combination Licenses -- Three Year. A license enti-  
34 tling the person to hunt and fish for game animals, game birds, fish and un-  
35 protected and predatory wildlife of the state may be had by a person twelve  
36 (12) years of age or older upon payment of three (3) times the fee as spec-  
37 ified in section 36-416, Idaho Code, for a combined hunting and fishing li-  
38 cense. A license may be issued to a qualified person who is eleven (11) years  
39 of age to allow the application for a controlled hunt tag; however, the per-  
40 son shall not hunt until he is twelve (12) years of age. The expiration date  
41 for said license shall be December 31 of the third year following the date of  
42 issuance.

43 (r) Nonresident Junior Mentored Hunting License -- Three Year. A li-  
44 cense entitling a nonresident between ten (10) and seventeen (17) years of  
45 age, inclusive, to hunt game animals, upland game birds (including turkeys),  
46 migratory game birds, and unprotected and predatory wildlife of this state  
47 only when accompanied in the field by the holder of an adult Idaho hunting  
48 license. A person holding this license shall purchase the appropriate re-  
49 quired tags as provided in section 36-409(b), Idaho Code, and permits. Pro-  
50 vided, that a license may be issued to qualified persons who are nine (9)

1 years of age to allow the application for a controlled hunt turkey permit;  
2 however, said persons shall not hunt until they are ten (10) years of age.  
3 A license of this kind may be had upon payment of three (3) times the fee as  
4 specified in section 36-416, Idaho Code, for a junior mentored hunting li-  
5 cense. The expiration date for said license shall be December 31 of the third  
6 year following the date of issuance.